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/s/Short/ Reg. No. 45,105  
Shayne X. Short, Ph.D., Reg. No. 45,105

**PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Application Serial No:</b> 10/079,367	<b>Attorney Docket No:</b> BP2087
<b>Application Filing Date:</b> 02-20-2002	<b>Inventor(s):</b> Nabil R. Yousef, Bruce J. Curri van
<b>Examiner:</b> ANDRAMUNO, FRANKLIN S	
<b>Art Group:</b> 2424	<b>Patent No:</b> n/a
<b>Confirmation No:</b> 7710	<b>Patent Issue Date:</b> n/a
<b>Title:</b> Outer code covered synchronous code division multiple access for cable modem channels	

Date: 02-17-2009

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to a final office action mailed on 10-14-2008 (Part of Paper No./Mail Date 20080820) regarding the above-identified U.S. utility patent application, the Applicant respectfully submits the following amendment/response and Request for Continued Examination (RCE) within four (4) months of the mailing date thereof.

The Applicant is also submitting herewith a petition for extension of time (1 month) under 37 C.F.R. §1.136(a) along with payment of the appropriate fees under 37 C.F.R. §1.17(a)(1).

The three (3) month due date for responding to the office action falls on 01-14-2009. With the petition for extension of time (1 month), the due date for responding to the office action extends to Saturday, 02-14-2009, and the Applicant respectfully asserts that this amendment/response/RCE being filed on the next succeeding secular or business day on which the USPTO is open, namely, Tuesday, 02-17-2009, is timely filed in accordance with M.P.E.P. § 710.05, 35 U.S.C. § 21, and 37 C.F.R. § 1.7 (i.e.,

since Monday, 02-16-2009 is Washington's Birthday, which is a Federal Holiday under 5 U.S.C. § 6103(a) within the District of Columbia as observed by the USPTO).

The Applicant has amended certain claims, has canceled certain claims, and has added certain new claims; the Applicant respectfully believes that no excess claim fees are due.